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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/693,032   | 10/23/2003  | Stanley Ford         | P17174              | 6520             |
| 28062  | 7590        | 09/27/2005           | EXAMINER            |                  |
| BUCKLEY, MASCHOFF, TALWALKAR LLC<br>5 ELM STREET<br>NEW CANAAN, CT 06840 |             |                      | DAVIS, ROBERT B     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1722                |                  |

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/693,032

Applicant(s)

FORD, STANLEY

Examiner

Robert B. Davis

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 9-19 is/are rejected.
- 7) ☒ Claim(s) 6, 8 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 5, 7, 9, 10, 12-15, 17-19 rejected under 35 U.S.C. 102(b) as being anticipated by Shinma (6,444,500: figures 5-7F).

Shinma teaches an apparatus comprising: a first circular stamp (121) to apply pressure at a first portion of the mold (141), a second annular stamp (122) to apply pressure at a second portion of the mold (141) adjacent the first stamp (121), and a third annular stamp (123) to apply pressure adjacent the second stamp (122). The reference clearly teaches sequential pressure applying to the first stamp, then the second stamp and finally the third stamp and inherently teaches a control mechanism for sequential application of pressure to the mold (141). The mold release sheet (130) can also be considered a molding member as it presses against the resin (135).

3. Claims 1-5, 7, 9-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Balsano et al (5,176,922: figures 3-10).

Balsano et al teach an apparatus comprising: a first circular pressing member (34), a second annular pressing member (28) adjacent the first pressing member, a third annular pressing member (25) adjacent the second pressing member, and a fourth annular pressing adjacent the third pressing member. Each of these pressing members

applies pressure to the molding die (4) through the molding cloth (38), sequentially starting with the first molding member. The control member is inherent as the pressing members sequentially apply molding pressure.

***Allowable Subject Matter***

4. Claims 6, 8 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: In regards to claims 6 and 20, none of the prior art of record teach or suggest an apparatus of claim 1 wherein first stamp that includes a step that extends from a side of the first stamp, and the second stamp includes an overhang that extends from a side of the second stamp, the overhang of the second stamp being positioned to contact from above the step of the first stamp. In regards to claim 8, none of the prior art of record teaches or suggests the apparatus of claim 1, wherein the mold is a microtool. The closest prior art (Balsano et al and Shinma) teaches a pizza press and a press mold for press molding and does not disclose or suggest a sequential pressing member to press the back of a flexible microtool.

***Conclusion***

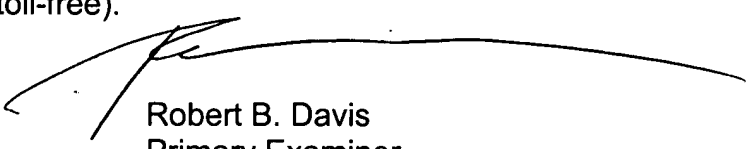
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Davis whose telephone number is 571-272-1129. The examiner can normally be reached on Monday-Friday 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert B. Davis  
Primary Examiner  
Art Unit 1722

9/20/05